



MINUTES
Regular Meeting
Reno City Council

Wednesday, September 12, 2012 • 12:00 PM

Reno City Council Chamber, One East First Street, Reno, NV 89501

Robert A. Cashell, Sr., Mayor

Council Members:

Ward 1 – Dan Gustin

Ward 4 – Dwight Dortch

Ward 2 – Sharon Zadra

Ward 5 – David Aiazzi

Ward 3 – Jessica Sferrazza

At-Large – Pierre Hascheff

A Introductory Items

A.1 Pledge of Allegiance

A.2 Observance of a Moment of Silence

A.3 Roll Call

Attendee Name	Title	Status	Arrived
Robert Cashell	Mayor	Present	
Dan Gustin	Council Member	Absent	
Sharon Zadra	Council Member	Present	
Jessica Sferrazza	Council Member	Present	
Dwight Dortch	Council Member	Present	
David Aiazzi	Council Member	Present	
Pierre Hascheff	Council Member	Present	

The meeting was called to order at 12:19 PM.

A.4 Approval of the Agenda - September 12, 2012 (For Possible Action)

The agenda was approved with Items F.7 and N.4 withdrawn.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	David Aiazzi, Council Member
SECONDER:	Pierre Hascheff, Council Member
AYES:	Cashell, Zadra, Sferrazza, Dortch, Aiazzi, Hascheff
ABSENT:	Dan Gustin

A.5 Approval of Minutes (For Possible Action) - August 22, 2012.

A.5.1 Motion: Motion 12:24 PM

The minutes were approved.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Pierre Hascheff, Council Member
SECONDER:	Sharon Zadra, Council Member
AYES:	Cashell, Zadra, Sferrazza, Dortch, Aiazzi, Hascheff
ABSENT:	Dan Gustin

B Public Comment

Al Gold, 501 West Moana Lane #59, discussed his public transportation system plans.

Mark Markel, 48 Park Street, discussed the dangers of drinking and driving.

Sam Dehne, Reno resident, discussed several issues.

Paul Lipparelli, Washoe County Assistant District Attorney, representing the Truckee Meadows Fire District (TMFPD), delivered a letter dated September 12, 2012 on behalf of the Board of Fire Commissioners, and discussed the offer to continue to abide by the mutual aid agreement that was approved by the City of Reno on August 9, 2012 and the District on August 14, 2012, and to enter into an automatic aid agreement.

C Cash Disbursements (For Possible Action) - August 19, 2012 through September 1, 2012. (For Possible Action)

The Council voted to approve the Cash Disbursements.

D Proclamations

D.1 Proclamation declaring September 21, 2012 as the International Day of Peace - Robin Palmer 12:35 PM

Councilperson Sferrazza, on behalf of Mayor Robert A. Cashell, Sr., and the City of Reno, proclaimed September 21, 2012 as International Day of Peace.

E Presentations - None**F Consent Agenda (All consent items may be approved together with a single motion, be taken out of order, and/or be heard and discussed individually.)**

Sam Dehne, Reno resident, presented his views on consent agenda items.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	David Aiazzi, Council Member
SECONDER:	Pierre Hascheff, Council Member
AYES:	Cashell, Zadra, Sferrazza, Dortch, Aiazzi, Hascheff
ABSENT:	Dan Gustin

F.1 Approval of Privileged Business Licenses

F.1.a New - Alcohol

1. Vinifera Imports, Ltd, Dominic Nocerino, 205 Thirteenth Avenue - Liquor Distributor (For Possible Action) [**Not in City (NIC)**]
2. Paulie's Pizza, LLC, Jennifer L. Archie, 2309 Kietzke Lane - Dining Room Alcohol (For Possible Action) [**Ward 1**]

F.1.b Change of Ownership - Gaming

1. Grand Sierra Resort and Casino, Alex Meruelo, 2500 East Second Street - Casino-Miscellaneous Gaming (For Possible Action) [**Ward 3**]

F.1.c Supplemental - Alcohol

1. Great Basin Brewing Company, Thomas Young, 1155 South Rock Boulevard, Suite 490 (For Possible Action) [**Ward 3**]

F.2 Staff Report: Approval of Settlement of Federal Lawsuit entitled Ancina v City of Reno, Case No. 3:1 12:41 PM

F.3 Staff Report: Approval of a Sponsorship Agreement with Let's Do Things, LLC., for Sponsorship of City Services for the Official Pre-Reno Zombie Crawl Thriller Dance Under the Arch in an amount not to exceed \$2,700 (Special Events Program Budget, General Fund). 12:41 PM

F.4 Staff Report: Approval of an Agreement with the Washoe County School District to Fund Playground Improvements at Roger Corbett Elementary School in the amount of \$245,050 (Community Development Block Grant Funds). 12:41 PM

F.5 Staff Report: Approval of Amendment #3 to the Contract with Bitfocus to administer the Homeless Management Information System in the amount of \$212,042 (Grant Funds). 12:41 PM

F.6 Staff Report: Approval and adoption of a Cooperative Agreement for Mutual Aid and the related 2012 Annual Operating Plan between the City of Reno and the Bureau of Land Management, Carson City District Office. 12:41 PM

F.7 Staff Report: Acceptance of an FY 2011 Assistance to Firefighters – Fire Prevention and Safety Grant award from the Department of Homeland Security, Federal Emergency Management Agency to the Reno Fire Department in the amount of \$226,950. 12:41 PM

THIS ITEM WAS WITHDRAWN FROM THE AGENDA.

- F.8 Staff Report: Adoption of The Hartford Administrative Services Agreement (Government 401) and the Adoption of The Hartford Amendment to the Administrative Services Agreement for the 457 Plan to allow for Administrative Allowance. 12:41 PM
- F.9 Staff Report: Acceptance of a donation to the Parks, Recreation and Community Services Department for the Park Pals Program in the total amount of \$15,000 with \$5,000 from the Nell J. Redfield Foundation, \$5,000 from Kinross Gold U.S.A. , and \$5,000 from the Robert Z. Hawkins Foundation. 12:41 PM
- F.10 Staff Report: Acceptance of a grant award from the U.S. Department of Transportation, Federal Motor Carrier Safety Administration to the City of Reno to support enforcement of laws related to commercial vehicles and construction work sites in the amount of \$194,014, and approval of the Cooperative Agreement with the City of Sparks for use of the grant funds. 12:41 PM
- F.11 Staff Report: Approval of an Award of Contract to D & D Plumbing for the replacement of boilers and appurtenances at the Gym at Plumas Park in an amount not to exceed \$63,939.00 (General Fund-Capital Maintenance Project). 12:41 PM
- F.12 Staff Report: Approval of Additional Application for Exemption from Assessment with regard to the 2011 Special Assessment District No. 1 12:41 PM

G Public Hearings - 12:15 PM

G.1 Case No. LCD12-00048 (Village Parkway Zoning Map Amendment)

- G.1.1 Staff Report: LDC12-00048 (Village Parkway Zoning Map Amendment) - Request for a zoning map amendment from LLR1 (Large Lot Residential - 1 acre) to NC (Neighborhood Commercial) on a ±13.19 acre site located on the northeast corner of the Village Parkway/Diamond Peak Drive intersection and south of Cold Springs Drive. 12:46 PM

The Mayor asked if proper notice was given.

City Clerk Jones stated that proper notice was given and a letter in opposition was received from Michael and Shirley Kern, 18583 Spicer Lake Court.

Mayor Cashell opened the public hearing and asked if anyone wished to speak. No one spoke and the Mayor closed the public comment portion of the hearing.

The Council voted to uphold the Planning Commission recommendation and approve the requested zoning map amendment by ordinance.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Dwight Dortch, Council Member
SECONDER:	Pierre Hascheff, Council Member
AYES:	Cashell, Zadra, Sferrazza, Dortch, Aiazzi, Hascheff
ABSENT:	Dan Gustin

G.1.2 Ordinance, Introduction Bill No. 6814 Ordinance to amend Title 18, Chapter 18.08 of the Reno Municipal Code, entitled "Zoning," rezoning a ±13.19 acre site located on the northeast corner of the Village Parkway/Diamond Peak Drive intersection and south of Cold Springs Drive from LLR1 (Large Lot Residential - 1 acre) to NC (Neighborhood Commercial); together with other matters properly relating thereto. **Case No. LDC12-00048 (Village Parkway Zoning Map Amendment)** 12:47 PM

Bill No. 6814 was referred to the Committee of the Whole.

RESULT:	FIRST READ [UNANIMOUS]	Next: 9/26/2012 12:00 PM
MOVER:	Dwight Dortch, Council Member	
SECONDER:	Pierre Hascheff, Council Member	
AYES:	Cashell, Zadra, Sferrazza, Dortch, Aiazzi, Hascheff	
ABSENT:	Dan Gustin	

Staff Report: LDC12-00048 (Village Parkway Zoning Map Amendment) - Request for a zoning map amendment from LLR1 (Large Lot Residential - 1 acre) to NC (Neighborhood Commercial) on a ±13.19 acre site located on the northeast corner of the Village Parkway/Diamond Peak Drive intersection and south of Cold Springs Drive. 12:53 PM

This item was reopened to allow additional public comment.

Annalisa Lawson, 18151 Glen Lakes Court, discussed her opposition to the proposed zoning map amendment.

H Ordinances, Adoption

H.1 Case No. LDC12-00053 (Stewart Street/Wheeler Avenue Zone Change)

H.1.1 Staff Report: LDC12-00053 (Stewart Street/Wheeler Avenue Zone Change) Bill No. 6810 Ordinance amending the zoning map: (1) from the MU/DRRC/CA (Mixed Use/Downtown Reno Regional Center/California District) zone to MF30 (Multifamily - 30 units per acre) on ± 3.33 acres, CC (Community Commercial) on $\pm .49$ acres, PO (Professional Office) on $\pm .17$ acres; and (2) to establish the Wells Avenue Neighborhood Planning Area Overlay Zone on the entire ± 3.99 acre subject area. The subject area is generally bounded to the north by Ryland Street, east by Wells Avenue, south by Stewart Street, and west by Holcomb Avenue. 12:47 PM

The Council voted to uphold the staff recommendation.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Jessica Sferrazza, Council Member
SECONDER:	Pierre Hascheff, Council Member
AYES:	Cashell, Zadra, Sferrazza, Dortch, Aiazzi, Hascheff
ABSENT:	Dan Gustin

H.1.2 **Ordinance, Adoption Bill No. 6810** Ordinance to Amend Title 18, Chapter 18.08 of the Reno Municipal Code, Entitled "Zoning," (1) Rezoning a ± 3.99 Acre Site from the MU/DRRC/CA (Mixed Use/Downtown Reno Regional Center/California District) Zone to MF30 (Multifamily - 30 Units Per Acre) on ± 3.33 Acres, CC (Community Commercial) on $\pm .49$ Acres, PO (Professional Office) on $\pm .17$ Acres; and (2) to Establish the Wells Avenue Neighborhood Planning Area Overlay Zone on the Entire ± 3.99 Acre Subject Area; Together with Other Matters Properly Relating Thereto. **Case No. LDC12-00053 (Stewart Street/Wheeler Avenue Zone Change)** 12:48 PM

08/22/12 City Council FIRST READ Next: 09/12/12

Bill No. 6810, Ordinance No. 6246 was passed and adopted.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Jessica Sferrazza, Council Member
SECONDER:	Pierre Hascheff, Council Member
AYES:	Cashell, Zadra, Sferrazza, Dortch, Aiazzi, Hascheff
ABSENT:	Dan Gustin

H.2 Case No. TXT12-00014 (Urban Farming)

H.2.1 Staff Report: TXT12-00014 (Urban Farming) Bill No. 6811 Ordinance to amend the Reno Municipal Code Title 18, “Annexation and Land Development”, Chapter 18.08, “Zoning,” Section 18.08.201, Entitled “Permitted Uses by Base Zone District;” and Section 18.08.204, Entitled “Standards for Temporary Uses and Structures;” and Chapter 18.24 “Rules of Measurement and Definitions,” Article II Entitled “Words, Terms and Phrases,” Together with Other Matters Properly Relating Thereto. 12:49 PM

The Council voted to uphold the staff recommendation.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Jessica Sferrazza, Council Member
SECONDER:	Pierre Hascheff, Council Member
AYES:	Cashell, Zadra, Sferrazza, Dortch, Aiazzi, Hascheff
ABSENT:	Dan Gustin

H.2.2 **Ordinance, Adoption Bill No. 6811** Ordinance Amending the Reno Municipal Code Title 18, “Annexation and Land Development”, Chapter 18.08, “Zoning,” Section 18.08.201, Entitled “Permitted Uses by Base Zone District;” and Section 18.08.204, Entitled “Standards for Temporary Uses and Structures;” and Chapter 18.24 “Rules of Measurement and Definitions,” Article II Entitled “Words, Terms and Phrases,” Together with Other Matters Properly Relating Thereto. **Case No. Case No. TXT12-00014 (Urban Farming)** 12:50 PM

08/22/12 City Council FIRST READ Next: 09/12/12

Bill No. 6811, Ordinance No. 6247 was passed and adopted.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Jessica Sferrazza, Council Member
SECONDER:	Pierre Hascheff, Council Member
AYES:	Cashell, Zadra, Sferrazza, Dortch, Aiazzi, Hascheff
ABSENT:	Dan Gustin

H.3 Secondhand Dealers and Precious Metals

H.3.1 Staff Report: Request to Amend Title 5 of the Reno Municipal Code Entitled "Privileged Licenses, Permits and Franchises," by Amending Chapter 5.08 Entitled "Pawnbrokers and Secondhand Dealers," to Delete "Section 5.08.125 - Moratorium on Secondhand Dealers in Precious Metals." and Replace with "Section 5.08.125 - Conditions on Secondhand Dealer Licenses." 12:51 PM

08/22/12 City Council *FIRST READ* Next: 09/12/12

The Council voted to uphold the staff recommendation.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Pierre Hascheff, Council Member
SECONDER:	David Aiazzi, Council Member
AYES:	Cashell, Zadra, Sferrazza, Dortch, Aiazzi, Hascheff
ABSENT:	Dan Gustin

H.3.2 **Ordinance, Adoption Bill No. 6812** Ordinance to Amend Title 5 of the Reno Municipal Code Entitled "Privileged Licenses, Permits and Franchises," by Amending Chapter 5.08 Entitled "Pawnbrokers and Secondhand Dealers" Deleting "Section 5.08.125 – Moratorium on Secondhand Dealers in Precious Metals" and Replacing it with "Section 5.08.125 – Conditions on Secondhand Dealer Licenses." 12:51 PM

08/22/12 City Council *FIRST READ* Next: 09/12/12

City Attorney Kadlic noted that "; together with other matters properly relating thereto" should be added to the end of the ordinance title.

Bill No. 6812, Ordinance No. 6248 was passed and adopted as amended.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Sharon Zadra, Council Member
SECONDER:	Pierre Hascheff, Council Member
AYES:	Cashell, Zadra, Sferrazza, Dortch, Aiazzi, Hascheff
ABSENT:	Dan Gustin

H.4 Case No. LDC12-00054 (Zoning Map Amendment 5100 Carson Lane)

H.4.1 Staff Report: Bill No. 6813 Ordinance to amend Title 18, Chapter 18.08 of the Reno Municipal Code, entitled "Zoning," rezoning a ± 1 acre site located on the southeast corner of the Carson Lane/Orrcrest Drive intersection from LLR1 (Large Lot Residential - 1 acre) to I (Industrial); together with other matters properly relating thereto. 12:52 PM

The Council voted to uphold the staff recommendation.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Dwight Dortch, Council Member
SECONDER:	Pierre Hascheff, Council Member
AYES:	Cashell, Zadra, Sferrazza, Dortch, Aiazzi, Hascheff
ABSENT:	Dan Gustin

H.4.2 **Ordinance, Adoption Bill No. 6813** Ordinance to amend Title 18, Chapter 18.08 of the Reno Municipal Code, entitled "Zoning," rezoning a ± 1 acre site located on the southeast corner of the Carson Lane/Orrcrest Drive intersection from LLR1 (Large Lot Residential - 1 acre) to I (Industrial); together with other matters properly relating thereto. **Case No. LDC12-00054 (Zoning Map Amendment 5100 Carson Lane)**
12:52 PM

08/29/12 City Council *FIRST READ* Next: 09/12/12

Bill No. 6813, Ordinance No. 6249 was passed and adopted.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Dwight Dortch, Council Member
SECONDER:	Pierre Hascheff, Council Member
AYES:	Cashell, Zadra, Sferrazza, Dortch, Aiazzi, Hascheff
ABSENT:	Dan Gustin

I Ordinances, Introduction

I.1 Case No. AT-32-07 (Digital Off-Premise Advertising Display including Light-Emitting Diode [LED])

I.1.1 Ordinance, Introduction Bill No. 6815 AT-32-07 (Digital Off-Premise Advertising Display including Light-Emitting Diode [LED]) Ordinance amending the Reno Municipal Code Title 18, “Annexation and Land Development”, by adding certain wording to and deleting certain wording from Chapter 18.16, “Signs”, Off-Premise Advertising Displays, and Section 18.24.203.4570 (Definition of Sign) to establish additional standards regarding Digital Off-Premises Advertising Displays, including Light-Emitting Diode (LED), together with other matters properly relating thereto. **Case No. AT-32-07 (Digital Off-Premise Advertising Display including Light-Emitting Diode [LED])** 12:57 PM

Bill No. 6815 was referred to the Committee of the Whole.

Aaron West, 4945 Joule Street, representing Clear Channel Outdoor, thanked staff and the Council for their diligence in the processing of this ordinance.

Lori Wray, 2802 Outlook Drive, representing Scenic Nevada, discussed their opposition to the ordinance.

The Council agreed to bring back the second reading of the ordinance on October 10, 2012.

RESULT:	FIRST READ [UNANIMOUS]
MOVER:	Dwight Dortch, Council Member
SECONDER:	Pierre Hascheff, Council Member
AYES:	Cashell, Zadra, Sferrazza, Dortch, Aiazzi, Hascheff
ABSENT:	Dan Gustin

I.1.2 Staff Report: AT-32-07 (Digital Off-Premise Advertising Display Including Light-Emitting Diode [LED]) Request for an amendment to the Reno Municipal Code Title 18 (Annexation and Land Development) by adding certain wording to and deleting certain wording from Chapter 18.16, “Signs”, Article IX “Off-Premise Advertising Displays” and Chapter 18.24 Article II (Definition of Words, Terms, and Phrases) to establish additional standards regarding Digital Off-premises Advertising Displays, including Light-Emitting Diode (LED), together with other matters properly relating thereto. 12:57 PM

The Council voted to uphold the staff recommendation.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Dwight Dortch, Council Member
SECONDER:	Pierre Hascheff, Council Member
AYES:	Cashell, Zadra, Sferrazza, Dortch, Aiazzi, Hascheff
ABSENT:	Dan Gustin

J Resolutions

- J.1 Staff Report: Discussion, approval and confirmation of the Summary of Accelerated Neighborhood Street Program (ANSP) and the confirmation of the Streets for 2013, 2014 and 2015 Neighborhood Street Rehabilitation Program.
1:03 PM

Councilperson Aiazzi and Kerri Koski, Public Works Streets Program Manager, discussed details of the proposed street program plan.

The Council voted to uphold the staff recommendation and confirm the streets proposed for the 2013, 2014 and 2015 Neighborhood Street Rehabilitation Program.

RESULT:	APPROVED [UNANIMOUS]
SECONDER:	David Aiazzi, Council Member
AYES:	Cashell, Zadra, Sferrazza, Dortch, Aiazzi, Hascheff
ABSENT:	Dan Gustin

J.2 Street Improvement Projects

- J.2.1 Staff Report: Resolution directing the City Engineer to Prepare and Submit Plans and Cost Estimates for Certain Street Improvement Projects to be known as the "City of Reno, Nevada 2013 Special Assessment District No. 1". 1:05 PM

The Council voted to uphold the staff recommendation.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	David Aiazzi, Council Member
SECONDER:	Pierre Hascheff, Council Member
AYES:	Cashell, Zadra, Sferrazza, Dortch, Aiazzi, Hascheff
ABSENT:	Dan Gustin

J.2.2 **Resolution No. 7762:** Resolution Directing the City Engineer of the City of Reno, Nevada, to Prepare, Submit and File with the City Clerk, Certain Preliminary Plans, a Preliminary Estimate of Cost, and an Assessment Plat; All In Connection with the Proposed Acquisition and Improvement of Six (6) Street and One (1) Sidewalk Projects Consisting of Twenty-Eight (28) Streets Known as the “City of Reno, Nevada 2013 Special Assessment District No. 1, Pursuant to the Consolidated Local Improvements Law and All Laws Amendatory Thereof and Supplemental Thereto. 1:05 PM

Resolution No. 7760 was adopted.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Pierre Hascheff, Council Member
SECONDER:	Dwight Dortch, Council Member
AYES:	Cashell, Zadra, Sferrazza, Dortch, Aiazzi, Hascheff
ABSENT:	Dan Gustin

K Standard Department Items

Public Works

K.1 **Motion:** Update, discussion, potential direction to staff and possible action with regard to an agreement to extend the time provided for in the Notice to Correct as set forth in the Purchase and Maintenance Agreement in regard to District 1 Parking Meter Replacement to Secure Storage Technologies, LLC., through December 31, 2012 (For Possible Action). 5:17 PM

John Flansberg, Director of Public Works, presented an update on the four meetings staff held with CURB System representatives to discuss their request to extend the time provided for in the Notice to Correct the City sent to Secure Storage Technologies, LLC regarding installation of the downtown parking meter kiosk system. He said that the discussions included the agreement's make-whole provision, CURB's performance bond, and advertising and sensor technology issues.

Councilperson Sferrazza and Mr. Flansberg discussed power supply issues; the

new Midtown parking system; and CURB's method of identifying available parking spaces.

Kane Dutt, representing CURB System, and Councilperson Sferrazza discussed details of the open-space finder system, and the proposed resolution of issues related to the guaranteed revenue stream.

Councilperson Sferrazza discussed her concerns that CURB System would be unable to secure the additional \$72,000 necessary to complete the system and make the City whole.

Ryan Adelman, Account Executive with Siemens Industry Inc., and Councilperson Sferrazza discussed the technology used in the Midtown parking system.

Frank Terrasas, representing Tripp Enterprises, and Mayor Cashell discussed the Council's request for data that detailed any double billings made by the parking kiosks. Mr. Terrasas said that the data would be presented to the Council on September 26, 2012.

Mr. Terrasas, Mr. Dutt and Councilperson Aiazzi discussed the bond process, product testing procedures, and ownership issues related to the data that had been stored by the system.

Councilperson Aiazzi suggested that the Council extend the Notice to Correct to September 26, 2012, and requested that CURB return at that time with data detailing how much revenue CURB made since the installation of the system, the number of customers that had been double billed by the parking meters, a resolution of the bond issue, and a proposed revenue stream for making the City of Reno whole.

Councilpersons Dortch and Zadra agreed that substantial progress had been made since the August 29, 2012 meeting, and agreed that the Notice to Correct should be extended to September 26, 2012.

Councilperson Hascheff stated that the September 26, 2012 update should also include performance measures that detailed specific zones and completion dates.

Councilperson Sferrazza stated that she would agree to extend the Notice to Correct to September 25, 2012, but would not agree to move forward unless the performance bond was in place.

Councilperson Aiazzi and Mr. Dutt discussed details of the installation of a software update.

Mayor Cashell agreed that some progress had been made, and the Notice to

Correct should be extended to September 26, 2012.

Councilperson Aiazzi made a motion to extend the Notice to Correct to September 26, 2012. He said that the applicant should return at that time with all the information that the Council had requested.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	David Aiazzi, Council Member
SECONDER:	Sharon Zadra, Council Member
AYES:	Cashell, Zadra, Sferrazza, Dortch, Aiazzi, Hascheff
ABSENT:	Dan Gustin

L Mayor and Council

L.1 Identification of Mayor and Council Items for future agendas of the Reno City Council. 1:44 PM

Councilperson Sferrazza requested a discussion and potential direction to staff regarding park maintenance.

Councilperson Dortch requested a discussion and potential direction to staff regarding the proposed rental car tax Bill Draft Request (BDR).

L.2 Liaison Reports

NO ACTION WAS TAKEN ON THIS ITEM.

L.3 Reports from any conferences or professional meetings.

Councilperson Aiazzi discussed a recent Regional Transportation Commission (RTC) meeting where a potential buy-back of road building credits was mentioned.

M City Clerk

M.1 Boards and Commissions Appointments including Alternate Members (For Possible Action)

a. Reno City Planning Commission

RESULT:	CONTINUED	Next: 9/26/2012 12:00 PM
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b. Redevelopment Agency Advisory Board

RESULT:	CONTINUED	Next: 9/26/2012 12:00 PM
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c. Historical Resources Commission

RESULT:	CONTINUED	Next: 9/26/2012 12:00 PM
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d. Ward Four Northeast Neighborhood Advisory Board

RESULT:**CONTINUED****Next: 9/26/2012 12:00 PM****N Updates on Items Identified by Mayor and Council**

N.1 Recognition of good deeds and positive events in the community. 1:46 PM

Chris Good, Director of Neighborhood Services, presented the report.

N.2 Fire Services

ITEMS N.2 AND N.3 WERE DISCUSSED TOGETHER.

Michael Hernandez, Fire Chief, discussed the recent joint meeting with the Washoe County Board of Fire Commissioners (acting on behalf of the Truckee Meadows Fire Protection District (TMFPD) and Sierra Fire Protection District (SFPD)). He said that three areas were specifically covered: 1) true-ups and outstanding payments (Council voted to pursue legal remedies with respect to the true-ups and direct staff to continue to work with County staff on a possible negotiated settlement); 2) the terms of a possible mutual aid agreement (no action was taken by the Council); and 3) a possible automatic aid agreement (neither the City nor the County took action). Chief Hernandez said that should the Council elect to terminate the current cooperative agreement with TMFPD/SFPD, the terms of a State mutual aid agreement could be considered.

Cadence Matijevich, Assistant City Manager, discussed the history of offers the City made to Washoe County for automatic/mutual aid.

Councilperson Zadra noted that the City had made 13 offers since October 12, 2011.

Mayor Cashell discussed the meetings that he, Councilperson Hascheff, the Fire Chiefs of both agencies, and representatives of the International Association of Firefighters (IAFF) held over a period of two months, the agreement they proposed for a joint operating agreement, and the County's negative response to their proposal.

Councilperson Sferrazza recalled that Washoe County staff recommended that the County pay the City of Reno \$1.2 million in true-up costs associated with deconsolidation of the fire departments, and suggested that the City settle the true-ups issue before moving forward with automatic aid negotiations.

Councilperson Hascheff said that the City had always been willing to negotiate an agreement that would have avoided deconsolidation of the fire departments, and public safety had always been their top priority, even after the County decided to deconsolidate. Mr. Hascheff noted that the City only today received Assistant District Attorney Paul Lipparelli and District Attorney Richard Gammick's September 12, 2012 letter regarding mutual aid, automatic aid and an interlocal agreement settlement, and would need time to discuss it with staff.

Councilperson Hascheff moved to direct staff to meet once again with Washoe County staff to negotiate an automatic aid agreement and resolve the true-ups issue to avoid

potential litigation. Staff was directed to leave the existing mutual aid agreement in place while the negotiations were underway. Councilperson Aiazzi seconded the motion.

Councilperson Aiazzi said that staff should determine how much money the City saved the Washoe County Sheriff's Office in dispatch services, and how much the County should pay the City to provide automatic aid to the Caughlin Ranch and Hidden Valley islands. Mr. Aiazzi said that, for instance, the County would not have to build a new fire station at Caughlin Ranch if the City were to provide primary service to that area, and noted that the County recently admitted that the General Fund had been subsidizing the indirect costs of TMFPD for years.

Councilperson Aiazzi discussed the editorial on the front page of the September 12, 2012, *Reno Gazette Journal*, and stated that the same question should be asked of the Washoe County Commissioners.

Ms. Matijevich discussed Consolidated Tax (C-TAX) issues.

Mayor Cashell and Councilperson Aiazzi discussed details of the General Fund subsidies, and the tax increase the County recently imposed on its residents to pay for fire services.

Councilperson Zadra asked Mr. Lipparelli if he had any questions or needed additional information to take back to the Washoe County Commissioners.

Paul Lipparelli, Assistant District Attorney, said that they would be happy to raise with the Commissioners any issues related to these matters, and it was their view that the existing mutual aid agreement should remain in place. He said that there was no reason that an automatic aid agreement with the City could not be negotiated; issues surrounding the interlocal agreement and the amounts due constituted a contract dispute that could be resolved; and he was optimistic that reasonable people given clear direction could work out the differences.

Mayor Cashell suggested that he and one or two of the Councilpersons meet with one or two of the County Commissioners to discuss avenues for negotiations. He reiterated that Reno's citizens were fully protected before and after deconsolidation, and briefly discussed the City's SAFER (Staffing for Adequate Fire and Emergency Response) Grant negotiations.

Councilperson Dortch asked Mr. Lipparelli if any of the County's other automatic aid agreements included primary response to outlying areas.

Mr. Lipparelli questioned the definition of 'primary responder' and said that the Fire District was moving forward to create the stations and resources necessary to cover all of the agencies. He noted that once that money was spent, it would not be available for use in solving the problems in more efficient ways.

Councilperson Dortch stated that one issue with the proposed agreement was that the City

would be the primary responder to both Caughlin Ranch and Hidden Valley, and another was that the agreement did not allow the County to be a primary responder within the City of Reno.

Mr. Lipparelli said that they believed there were ways to solve that issue.

Chief Hernandez, speaking as the previous Consolidated Fire Chief, stated that there were no areas within the northern or southern Truckee Meadows where automatic aid services utilized the primary response tool, and discussed depth of resource issues with respect to the number of engines and personnel responding to calls for service.

Councilperson Dortch noted that while the County collected taxes from Caughlin Ranch and Hidden Valley for fire services, they had asked the City to provide primary response to those areas at no charge because of the City's receipt of the SAFER Grant. He said that while the City was willing to provide the services, they had stipulated that they would only do so after the true-ups issue had been resolved. Mr. Dortch stated that the County recently refused a very generous offer to discount the true-ups to \$750,000, the City had done everything they could to negotiate an automatic aid agreement that would not have a detrimental effect on the citizens and taxpayers of the City of Reno and, although he was not optimistic about the outcome, he would be willing to try once again to reach an agreement with the County.

Councilperson Hascheff reiterated that public safety had always been the City of Reno's top priority, and the City should once again sit down with the County to come to some agreement.

Mayor Cashell discussed his issues with the recent editorial in the *Reno Gazette Journal*.

Councilperson Aiazzi discussed the differences between responding to calls for service with three-person and four-period crews.

Councilperson Sferrazza and Chief Hernandez discussed their concerns about leaving City locales less protected while they were responding to calls for service in County locales.

Mayor Cashell discussed his concerns about Washoe County's use of the revenues collected for fire and animal services.

Mayor Cashell and Chief Hernandez discussed the County's response to a recent fire in the North Valleys.

Councilperson Hascheff stated that his motion was made in the spirit of cooperation with the County and to negotiate an agreement that provides the highest level of public safety service for the community.

- N.3 **Motion:** Discussion and potential direction to staff regarding the Amended Cooperative Agreement between Truckee Meadows Fire Protection District, Sierra Fire Protection District and the City of Reno, including but not limited to providing thirty days written notice of termination and other matters relating thereto (For Possible Action), 12:45 PM

Staff was directed to work with Washoe County staff to negotiate an automatic aid agreement and to include a true-ups settlement in the discussions. The Council agreed to leave the existing mutual aid agreement in place while the negotiations were underway.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Pierre Hascheff, Council Member
SECONDER:	David Aiazzi, Council Member
AYES:	Cashell, Zadra, Sferrazza, Dortch, Aiazzi, Hascheff
ABSENT:	Dan Gustin

O Public Hearings - 6:00 PM

- O.1 Staff Report: LDC12-00055 (Ed's Knockouts) request for a special use permit to establish an adult cabaret within the Wells Avenue District of the Downtown Reno Regional Center. The use is proposed to be placed within a ±10,500 square foot building on the east half of a ±25,545 square foot parcel located along the south side of East 5th Street between Elko Avenue to the west and Eureka Avenue to the east (608 East 5th Street) in the MU/DRRC/Wells (Mixed Use/Downtown Reno Regional Center/Wells Avenue District) zones. This item was appealed by Keith Kearns. This item was continued from the August 29, 2012 meeting. 6:00 PM

08/29/12 *City Council* *CONTINUED* *Next: 09/12/12*

VICE MAYOR AIAZZI PRESIDED IN MAYOR CASHELL'S ABSENCE.

The Vice Mayor asked if proper notice was given.

City Clerk Jones stated that proper notice was given and an e-mail in opposition to the Special Use Permit (SUP) was received from Robert and Marilou Stone, thestones@pyramid.net.

Del Hardy, 96 Winter Street, attorney representing the applicant (Ed's Knockouts), discussed the merits of the applicant's request, and how the project would make the area safer by providing additional security and lighting.

Vice Mayor Aiazzi opened the public hearing and asked if anyone wished to speak.

The following thirteen (13) individuals discussed their opposition to the proposed SUP: 1) Al Krauer, 2015 Watt Street; 2) Garrett Gordon, 50 West Liberty Street #410, representing the Reno Diagnostic Center; 3) Richard Hill, 652 Forest Street, attorney

representing the Reno Sparks Gospel Mission; 4) Karen Mullen, 501 Elko Avenue; 5) Kensal Murph, 501 Elko Avenue; 6) Tammy Treadwell, 501 Elko Avenue; 7) Rick Redding, 2115 Timber Way, representing the Reno Sparks Gospel Mission; 8) Gaye Canepa, 500 East Sixth Street; 9) Debbie Gamino, 300 Mountain View Drive; 10) Bruce Gamino, 545 East Sixth Street; 11) Michael Sullivan, 440 Spokane Street; 12) Tony Willoughby, 608 East Fifth Street; and 13) Selena Merlos, 1962 High Meadow Trail.

The following 27 individuals presented Public Comment Forms in opposition to the SUP, but did not wish to speak: 1) Angela Soderlund, 501 Elko Avenue; 2) Darcy Gilbertson, 501 Elko Avenue; 3) Donna Montgomery, 501 Elko Avenue; 4) Terri R. Swanson, 501 Elko Avenue; 5) Cameo Thompson, 501 Elko Avenue; 6) Andrea Bustos, 501 Elko Avenue; 7) Cheryl Morales, 501 Elko Avenue; 8) Michelle Guttery, 501 Elko Avenue; 9) Ashley Trumpower, 501 Elko Avenue; 10) Marie Krueger, 501 Elko Avenue; 11) Christi McNulty, 501 Elko Avenue; 12) Cheryl Purcell, 501 Elko Avenue; 13) Julie Fiore, 501 Elko Avenue; 14) Evelyn Smith, 501 Elko Avenue; 15) Steve Harris, 12135 Stoney Brook Drive; 16) Matthew Wicks, 2475 Robb Drive #113; 17) Justin Varischetti, 6913 Enchanted Valley; 18) Karolina Gamino, 300 Mountain View Drive; 19) Christina Bradshaw, 590 Eureka Avenue; 20) Kenton Karrasch, 1390 View Crest Court; 21) Christin Karrasch, 1390 View Crest Court; 22) Lucas Stewart, 590 Eureka Avenue; 23) Amanda Stewart, 590 Eureka Avenue; 24) Christine Glantz, 1661 Topeka Circle; 25) Terri Mahannah, 2565 Rampart Terrace; 26) Mike Steedman, 432 East Fourth Street; and 27) Lillian Michel, 2345 Lois Court, Sparks.

Vice Mayor Aiazzi closed the public comment portion of the hearing.

Mr. Hardy discussed the distance of the proposed project from the Elko Avenue safe house and Reno Diagnostic Center, the dilapidated condition of the neighborhood in the project area, SUP locational criteria and compatibility issues.

Councilperson Dortch stated that it was the Council's responsibility to make the necessary findings for approval of the requested SUP, which included determining that the proposed project met or exceeded the locational criteria. He also stated that Reno Municipal Code requires that adult business not be located within 750 feet of residentially zoned property.

Mr. Hardy noted that on Fourth Street adult cabarets are currently located next to residential areas, and Councilperson Dortch replied that those businesses did not have to meet the same criteria that must be met today.

Councilperson Dortch stated that restrictions were placed in Code in response to problems that had been identified and needed to be corrected, to address issues that had previously been overlooked, or to help the City move in a different direction.

Mr. Hardy said that there is only one dilapidated house in close proximity to this industrial area, and Councilperson Dortch replied that the whole corridor was an area in transition, which was the Council's goal when they initiated the Fourth Street Plan.

Councilperson Dortch said that the finding must be made that the proposed use, not the zoning, would be compatible with existing surrounding land uses and development, and reiterated that there are residential uses 200 feet from the proposed project.

Mr. Hardy stated that he did not agree with Councilperson Dortch's interpretation of Code, and suggested that the interpretation could be challenged.

Councilperson Dortch said that another finding the Council had to make was that the project would be used by and benefit local residents, and Mr. Hardy said that the project would create jobs and improve the area with a \$1 million building. Mr. Hardy reiterated that the area's buildings are run down, discussed area tagging issues, and said that these things would not happen were there security and people in the area.

Councilperson Zadra and Mr. Willoughby discussed the crime and vandalism that occurred at his repair shop business between 1993 and 2004, and the significant improvements that have been made in the area since 2004.

Councilperson Zadra asked Mr. Hardy if he agreed that homes in the proposed project area could not be considered as in a residential area because of their state of disrepair. Mr. Hardy replied in the affirmative and reiterated that the proposed site was in an industrial area.

Discussion ensued regarding the applicant's plans for securing the requisite amount of parking for the project; the condition of Mr. Redding's property before he purchased it and made improvements; the improvements the Gaminos had made to their rental properties; Mr. Gordon's concerns related to the consequential effects of the proposed project on the women and children who visit the Reno Diagnostic Center during the evening hours; and the transitional nature of the area.

Councilperson Dortch disclosed that he met with the representatives of Reno Diagnostic Center, and returned the applicant's telephone call but was unable to meet with them.

Councilperson Hascheff and Mr. Gordon discussed zoning issues related to the location of adult businesses and the SUP approval criteria.

Claudia Hanson, Community Development Planning and Engineering Manager, and Councilperson Hascheff discussed existing residential uses within 200 feet of the proposed project, and the potential for additional residential uses within 750 feet of the proposed project. They also discussed whether an additional SUP would be required if the project were approved and the applicant wanted to then include an adult bookstore or motion picture theatre to the project, and the proposed terms of the lease agreement.

Steve Pitts, Reno Police Chief, and Councilperson Hascheff discussed crime statistics and calls for service associated with this type of business. Chief Pitts stated that the proposed project would increase crime and the number of calls for service in the area, as well as in

the sphere of influence around the business. He said that the calls typically were in the nature of battery, fighting, suspicious subjects in the vicinity, emergency medical services, intoxication and narcotics abuse.

Councilperson Hascheff and Ms. Hanson discussed the Neighborhood Advisory Board's (NAB's) concerns about increased criminal activity and parking that might be associated with the strip club. They also discussed the presence of other adult businesses in the area.

Ms. Hanson confirmed that adding a use such as an adult bookstore or theatre would require an amendment to the SUP, and would require that the same findings be made. She clarified that the Council should only focus on the first set of findings listed in the Staff Report.

Councilperson Hascheff asked Mr. Hardy to disclose the proposed terms of the lease agreement and Mr. Hardy said that it would be a long-term lease agreement for five and five, and could only be terminated by default.

Councilperson Hascheff and Mr. Hardy discussed how the applicant became aware of the nearby women's shelter. Mr. Hardy said that they only learned about the shelter after the City suggested that they put in an application, the applicant acquired the property, and representatives of the shelter discussed their concerns at the Planning Commission meeting. Councilperson and Mr. Hardy agreed that the final decision would be made by the Council, irrespective of the staff recommendation.

Discussion ensued regarding the hours of operation at the women's shelter.

Councilperson Sferrazza and Ms. Hanson discussed zoning issues related to other area adult businesses, and the staff recommendation that the applicant apply for an SUP. Ms. Hanson explained that staff routinely warns applicants that the final decision would be made by the Planning Commission and City Council, and that all of the spacing and locational criterion had to be met. She noted that staff was not aware until approximately one week before the hearing that a women's shelter operated in the vicinity of the proposed project.

Vice Mayor Aiazzi said it was his understanding that the SUP process was designed to allow the Council the ability to place conditions of approval on projects on a case-by-case basis in order to modify or ameliorate potential problems. Ms. Hanson stated that the process did provide the Council with an opportunity to determine whether a proposed land use was appropriate in a specific area, or if it was appropriate with certain conditions.

Councilperson Dortch said that Nevada Revised Statutes (NRS) require these types of businesses to be located 750 feet from residentially zoned property and, while this property was not necessarily zoned residential, the proposed land use clearly represented a compatibility issue. He further explained that Finding 'a' (proposed use is compatible with existing surrounding land uses and development) could not be made because this

was not a zoning question but rather a question about what uses currently existed in the area (e.g. the women's shelter and Reno Diagnostic Center), and whether the proposed use was compatible with those existing uses. Mr. Dortch stated that if Finding 'a' could not be made, it would also not be possible to make Finding 'e' (proposed site location and scale, intensity, density, height, layout, setbacks, and architectural and overall design of the development and the uses proposed is appropriate to the area in which it is located) because if the proposed use was not compatible with other area land uses, it was clearly not appropriate for that area.

Councilperson Zadra stated that she could not make Findings 'a', 'e' or potentially 'f' (the project does not create adverse environmental impacts such as smoke, noise, glare, dust, vibrations, fumes, pollution or odor which would be detrimental to, or constitute a nuisance to area properties).

Councilperson Hascheff disclosed that he met with Garrett Gordon (attorney representing Reno Diagnostic Center), and returned the applicant's telephone call in an attempt to meet with him. He stated that the proximity of the women's shelter and Reno Diagnostic Center was in direct conflict with the proposed use, and all had similar hours of operation. He said that there was existing residential use within 200 feet of the proposed project and, in addition, the MU district encourages additional residential uses that would create more areas and opportunities for conflict. With respect to the Police Chief's testimony and the Denver report, Mr. Hascheff said that it would only be a matter of time before there would be an increase in the number of calls to the area for police service, and that the activity would likely spill over into the surrounding neighborhood. He said that the purpose and intent of the City's regulations were to prevent crime, preserve neighborhoods, and prevent a concentration of these types of uses in any one location, and he could not make Findings 'a', 'e' and 'f'.

Councilperson Sferrazza disclosed that she met with Mr. Gordon, Mr. Alonzo and Mr. Beechboard, and stated that this was probably the most incompatible use that could be proposed for the area; a recipe for disaster. She agreed that this was a neighborhood in transition, and discussed the Council's emphasis on Fourth Street lighting and the Master Plan prepared for the City during the American Planning Association Conference. Ms. Sferrazza stated that all of the Findings in the case could not be made.

Vice Mayor Aiazzi discussed his concerns about the inability to mitigate potential problems associated with this type of business, especially after reading the Denver report and hearing the Police Chief's testimony. He noted that State law does not allow the Council to require a business to provide off-site (outside) security, and suggested that the downtown Men's Club's problems did not spill over into the surrounding area because their property is surrounded by the Baseball Park, Regional Transportation Commission site and Harrah's Club, all of which provide the area with 24-hour security. Mr. Aiazzi stated that without any way to mitigate the potential problems, he could not make the findings necessary for approval of the SUP.

Councilperson Hascheff stated that for the reasons he previously stated, he also could not

make Findings 'a', 'e' and 'f'.

The Council voted to uphold the recommendation of the Planning Commission and deny the requested Special Use Permit.

Vice Mayor Aiazzi noted that anyone wishing to appeal the Council's decision could do so to the District Court.

RESULT:	DEFEATED [UNANIMOUS]
MOVER:	Pierre Hascheff, Council Member
SECONDER:	Dwight Dortch, Council Member
AYES:	Zadra, Sferrazza, Dortch, Aiazzi, Hascheff
ABSENT:	Robert Cashell, Dan Gustin

P Public Comment

NO ACTION WAS TAKEN ON THIS ITEM.

Q Adjournment (For Possible Action)

THE MEETING WAS ADJOURNED AT 7: 31 P.M.